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If paid strictly in advance—per annum, \$2.00.  
If payment is delayed 6 months, \$2.50.  
If not paid till the close of the year, \$3.00.  
New subscribers are expected to make the first payment in advance.  
No paper will be discontinued until all arrears are paid, unless at the option of the publisher.  
Single copies five cents—sent at the office and at the Bookstore.  
J. B. PORTER.  
Z. POPE VOSK.

BARGAINS  
OFFERED BY  
FULLER & COBB

3000 YARDS  
Remnants of Ribbons

Bought directly of the Importers in New York, that take all the Remnants made by one of the largest Factories in France. In this lot are some of the most beautiful Ribbons ever shown in this city, and the prices are only one-half the usual price of such Ribbons. They are from 5 to 50 cts. per yard.

1500 YARDS  
OF LOW PRICED  
AMERICAN DRESS GOODS.

From the late Great Auction Sale in New York, selling at about one-half the usual price, and sent them or send for samples.

100 GROSS  
Beautiful Buttons.

For Print and Sewing Buttons, that we are offering for about 25 cents, on a dollar's worth. The greatest bargain ever offered in Buttons.

COTTON UNDERWEAR.

We have taken the Agency for Hathaway's LADIES' COTTON UNDERWEAR, the best made, and the best fitting, at the lowest price ever offered. We shall have a new lot Saturday, April 2d.

CORSETS.

We have ten full lines of Corsets which give us nearly all the kind that are in vogue. We shall open on Wednesday, a special Corset for Large Ladies, in sizes from 30 to 36, which usually are hard to find. Also a new Corset that will wear under the arms, with shoulder straps to hold the skirts. Call and look at our assortment.

KIDS!

We have in stock a full line of Spring Shades in 2, 3 and 4 Buttons. Every pair warranted. And a new Kid with a wrist that faces, which is so popular today.

GOSSAMERS!

A new lot to be opened Saturday, April 2, for Misses, and an extra quality for Ladies, warranted.

CARPETS.

We have received a number of pieces of Brussels and Tapestry, this week which are very choice. Please call and look at them.

Carpets Made at Short Notice.

Fuller & Cobb

325 Main St., Rockland.

# Rockland

VOLUME 36. ROCKLAND, MAINE, THURSDAY, APRIL 21, 1881. NO. 21.

## Poetry.

### Is It Worth While?

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tered at every upward leap of the flame.  
Such a heart kitchen as it was! Mrs. Ellis-  
worth's heart involuntarily warmed at the  
gentle sight.

Mr. Raynesford jumped out of the wagon,  
threw his reins over a post, and went  
in to conciliate his domestic despot.

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angular-looking female who emerged from  
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steps, her face as sour as the saucer of  
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home some poor miserable creature or other,  
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ferin'!" Farmer Raynesford pretended  
not to hear—he was busy lifting little  
Mary out.

"Set on them blackberries, Hannah!"

## Rockland

### Is It Worth While?

Is it worth while that we waste a brother,  
Bearing his load on the rough road of life?  
Is it worth while that we wear at each other,  
In blackness of heart that we wear with the knife?  
God play us all in our pitiful strife.

God pity us all as we waste each other;  
God pardon us all for the triumph we feel  
When a fellow goes down "neath his load on the heather,  
Pierced to the heart: words are kinder than steel,  
And mightier far for woe than for weal.

Were it not, in this brief little journey  
Over the heath, down into the tide,  
We give him a hand, a word, a cheer,  
Ever folding the hands to be and abide  
Forever and ever in dust and in shade?

Look at those roses in that other's  
Look at the birds all at peace on the plain—  
And in his heart at his peril and pain;  
Shamed by the beasts that go down on the plain.

Is it worth while that we battle to humble  
Some poor fellow down into the dust?  
God pity us all, Time is so full of trouble  
All as to follow, like leaves in a gust  
Humbled, indeed, down into the dust.

### The Shadow of the Rock.

A hiding place from the wind and a covert from the  
tempest; as rivers of water in a dry place; as the  
shadow of a great rock in a weary land.—Is. xlii. 1, 2.

In the shadow of the Rock  
Let me rest,  
When I feel the tempest's shock  
Threaten my breast;  
All in vain the storm will sweep,  
While I hide,  
And my tranquil slumber keep  
By thy side.

On the parched and desert way  
Where I tread,  
With the searching noon-day ray  
O'er my head;  
Let me find the welcome shade,  
Cool and still,  
And my wearied steps be stayed  
While I will.

I in peace will rest me there  
Till I see  
That the sun again is fair  
Over the sea;  
That the burning heats are past,  
And the day  
Bids the traveler at last  
Go his way.

Then my pilgrim staff I take,  
I'll onward journey make  
As before;  
And with joyful heart and strong  
I will go,  
Unto thee, O Rock, a song  
Glad with praise.

## Tales and Sketches.

### Principal and Interest.

"O mother, mother, I am so tired!"  
The dewdrops quivered like imperial  
diamonds upon the green plumes of the  
cormorant by the wayside; the grass that  
grew over the footpath was heavy with  
evening moisture; yet the two wanderers  
clung together homeless and alone, in the  
falling shadows of the night.

"Cheer up, my child, we have not very  
far to go now, let me brush the dew  
from your curls. Now take my hand."

But the child hung back, sobbing with  
weariness and exhaustion, and the pale  
young mother, bending over her in the  
vain attempt to soothe the hysterical  
excitement, did not hear the rumble of  
advancing wheels until they passed close  
to her, and a rough, heavy voice exclaimed:  
"What little the little?"

"My little girl has never seen Farmer  
Raynesford before—yet the moment her  
eyes rested on his wrinkled, sunburnt face,  
with the shaggy brows overhanging his  
kind eyes, she felt that he was a friend,  
and made answer promptly:

"Not sick, sir, but very tired. We have  
walked a long way."

"Get much further to go?" asked the  
farmer, tickling the horse's ear with the  
end of his whip.

"To Brocton."

"That's four miles off, and the little  
gal is pretty nigh used up already."

"I know it," said the woman with a  
sigh. "But I have no money to hire a  
lodging nearer. In Brocton I hope to  
find a room for the night."

"I won't hear no such thing!" said he,  
energetically. "Why that child can't get  
twenty rods further! Here, get in 'long  
with me. You won't be none the worse  
for a bit of supper and a good night's rest. I  
know Hannah'll scold," he muttered, as he  
lifted the little girl to his side, and ex-  
tended his hand to the mother; "but I  
cannot see folks perishing by the roadside,  
and never offer to help 'em. I don't care  
if she scolds the roof of the house off."

It was an oddly shaped old farmhouse,  
gray with the storms of nearly half a cen-  
tury, with a heavy door-stone, overhung by  
giant lilacs, and a kitchen where, even  
in the blooming month of June, a great  
fire roared up the wide-throated chimney,  
and shining rows of tin winkled and glit-  
tered at every upward leap of the flame.  
Such a heart kitchen as it was! Mrs. Ellis-  
worth's heart involuntarily warmed at the  
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Mary out.

"Set on them blackberries, Hannah!"

## Rockland

### Is It Worth While?



Thursday, April 21, 1881.

The dead lock in the U. S. Senate is unbroken, and no business is transacted.

Rear-Admiral Thatcher, grandson of General Knox, has presented his grandfather's files of letters and documents to the New-England Historic Genealogical Society. There are thirty-four letters in the collection written and signed by Washington.

Lord Beaconsfield is dead. He had a very serious relapse Monday night and died Tuesday morning, retaining consciousness to the very last moment. He was of Jewish origin and was born in London December 21, 1804. He died just one year after surrendering the seals of office to Mr. Gladstone.

In the Legislature of Indiana a law has been introduced for the suppression of intemperance, which is the most original of the many proposed laws for the suppression of that evil. It requires that a man desiring to drink shall take out a year's license, price ten dollars, the money to go to the support of infirm asylums and the license to be cancelled the first time its holder is found drunk.

The position of Solicitor of the Treasury has been tendered by the President to Warren M. Bateman of Cincinnati, who was Secretary Sherman's manager during his campaign for the Presidential nomination. It is not known whether Mr. Bateman will accept. Kenneth Raynor, the present Solicitor, appointed by Pres. Hayes, and who was one of the last survivors of the old Whigs, is not to be retained.

Zion's Advocate says that the new sheriff of Cumberland has done nothing of consequence to enforce the law against dram-shops since he came into office last January, and therefore that liquor selling is on the increase in Portland. It says that in the first three months of 1880 the number of arrests for drunkenness in Portland was 282. During the first three months of the present year the number was 349. It is understood that an application will soon be made to Governor Plaisted for the appointment of constables for the proper enforcement of the liquor law in Cumberland county.

The Washington correspondent of the New York Herald states that the plan adopted by Secretary Windom for taking care of the maturing 6 per cents was carefully considered by Attorney General MacVeagh, and has his entire approval as the highest law officer of the Government; that, further, it was discussed with ex-Secretary Sherman and Senators Bayard and Morrill and has their approval, and that ex-Secretary McCulloch was also consulted and in like manner approved it. All of these gentlemen, as well as the President and his Cabinet, failed to discover anything contrary to law or to public policy in the plan.

A meeting of the executive committee of the Maine Soldiers Association was held in Portland, last week, in reference to the proposed reunion this summer. Representatives were present or letters received from nearly all the regimental organizations, indicating a very general interest in the movement. The committee are now considering the question of a suitable location for the reunion which will depend upon the several organizations, and upon the encouragement offered from such sections of the State as are easy of access and situated favorably for the purpose of the occasion.

The Brunswick Telegraph says at the clinic of last week, Dr. Green related to the class the following remarkable case: During the last years of the war, an officer of the Navy, in some engagement, received a severe contusion on the hip from a round shot, no bones being broken. From that time he had suffered great pain in the sciatic nerve, greatly aggravated within two or three years so that the man was entirely unfitted for any work. Five weeks ago (dating from the 9th) Dr. Greene cut down to the nerve to find it held as it were in a vice by a band as we understood, of extraneous flesh; this band was severed, the nerve released, and from that time up to the time of Dr. Green's relation of the facts the patient had not suffered a particle of pain.

O'Brien alias Lindsey, who, in the case of the Garfield-Morey forgery, swore that he knew the mythical H. L. Morey, but subsequently confessed that his testimony was false throughout, was brought up for trial in the Court of Sessions at New York last Thursday for perjury. He pleaded guilty. Judge Cowing sentenced him to eight years imprisonment at Sing Sing. In imposing the sentence the Judge said: "The case is one in which the perjury was of a most dangerous character and one which affected the result of a National election. In imposing such a heavy sentence for the offence, I do it to serve as a warning to others against going upon the stand in a Court of Justice and deliberately perjuring themselves, where the act involves such enormous interests."

The full branch of the Supreme Judicial Court has rendered judgment in a suit brought by a guest at the Old Orchard House during the summer of 1877 against the proprietor of the latter for the value of a watch, chain, ring and money stolen from the clothes of the guest in the bath house while the latter was bathing. The value of the articles was estimated at \$267.75. The judgment of the Court was as follows: "An inn-keeper is not charged, as such, for property stolen under such circumstances; that keeping an inn and keeping a bath house are separate and distinct employments, involving separate and distinct duties—that is, on the ground that one may be an inn-keeper without being a bath-house keeper, and vice versa; that bath houses, separate and distinct from hotels are not subject to inn-keepers' liability, and that while down at the breakers at Old Orchard beach, the visitor is not such a guest as makes his landlord liable under the ordinary rule pertaining to inn-keepers."

## An Explanation.

The Fargo Republican copies Mr. Vose's letter from that place, and in relation to the "Drawbacks" mentioned in it, remarks: "that all prairie countries destitute of timber are subject to high winds. Our winters are much like the winters of Maine, with the exception that we are not subject to alternate thawing and freezing, and are far from the humid atmosphere of the sea coast. Hall stones come, it is true, but no locality in America is exempt from such visitations. Fargo mud is 'sticky,' but unlike the 'Rockland article,' it dries very rapidly, and is wonderfully firm. A snow-crope system will be adopted this year; there is no obstacle in the way of perfect drainage, and we think we shall be able to show our eastern friends that Fargo is big enough to 'grapple successfully' with that or any other system of public improvement calculated to promote its prosperity."

In relation to the depth of the frost the Republican says: "It is true that farmers commence seeding as soon as the snow is gone, without waiting for 'the frost to leave'; but while in New England the farmers have to wait for the 'ground to settle,' in other words for the frost to come out, here the quagmires and mud, incident to less favored lands, are unknown. The moment the snow is gone the ground is dry and hard, and remains so. Nobody knows or cares when the frost leaves, unless a well-to-do farmer. There is no hovering by the frost here as in New England, and the idea evidently cherished by our friend Vose, that if there is six feet of snow in the ground there must be six feet of mud before the frost leaves, makes a Dakotaian smile."

Shipbuilding seems to be "booming" in this State. At any rate it is so in Bath, according to the account given by an Augusta gentleman, who recently visited Bath and took some notes of what was going on in that business. The firm of Goss, Sawyer & Packard, he says, turns out more wooden tonnage than any other concern in the world. They have about 800 men employed in the yards, in various capacities, in addition to a large number who are in the forest getting out material. The senior member of the firm, Guy C. Goss, Esq., was a member of the last two Legislatures, and is well and favorably known all over New England. There are now in process of construction in their yard alone the following vessels: One large three-masted schooner, 650 tons, for Taunton parties; one ship, about 1800 tons, for Captain R. Kelley, of Bath; one steamer, about 500 tons, nearly finished, for Taunton parties, to be commanded by Captain Samuel A. Walker; one ship of 1800 tons, for Philadelphia parties; one schooner keel just laid for New Bedford; one steam whaler, 500 tons, nearly finished, for New Bedford parties, (goes to the Arctic regions); one ship, about 1800 tons, for New Bedford parties, nearly finished (will be launched in about two weeks). These vessels are unsurpassed in beauty of model and workmanship. This firm has more orders ahead for wooden ships than it can possibly fill. And yet people say that times are dull in Maine and no ships are building!

## Execution of the Assassins.

On our outside (omitted from last week), will be found an account of the trial of the assassins of the late Czar of Russia. All of them, with the exception of the women, Hessa Helfmann, who was in delicate health, and whose execution was postponed, were hung at 10 o'clock, Friday morning, in presence of an immense concourse of spectators.

At the appointed hour the condemned nihilists were taken from their cells in the Fortress of Saints Peter and Paul, placed upon a hurdle drawn by four horses, and surrounded by a strong body of Cossacks and infantry with drums and fifes. The cortege proceeded at a slow pace through the streets leading to Sennoff square, the place of execution. The square was taken possession of in advance by a large body of troops, comprising detachments from all the regiments of the Guards stationed at St. Petersburg, which filled it, wholly to the exclusion of the populace, who viewed the sad spectacle from outside the closely drawn cordon of military. In the middle of the square stood the scaffold, with its five dangling ropes. All the prisoners received the ministrations of the priests and kissed the cross and each other. They were very firm, except Ruskoff, who fainted at the last moment. When the drop fell Michailoff's rope broke and he fell to the ground. A thrill of horror went through the vast assemblage and even the officers in charge of the duty showed signs of being shocked. The hanging was raised, and when the drop fell a second time the rope again parted. Loud exclamations of pity were heard from the people, but there was no breach of order. The work of death was finally accomplished, amid the wail of the great throng, and the five condemned nihilists swung lifeless together from the fatal beam.

The appeals for mercy of the nihilists Ruskoff and Michailoff were submitted to the Czar, but he replied that the sentence of the Court must be carried out. It is said the leading spirit in the assassination was the young woman, Sophie Perofskia, or rather Perofskaja. In view of her aristocratic connections, social position and superior education, her complicity in the crime was for a long time a matter of surprise. She was the daughter of a former provincial Governor and the niece of an officer of high position in the army. She it was who, when the previous attempt upon the Czar's life was made by mining the railroad track near Moscow, kept guard for the conspirators with a cocked revolver in the room where the dynamite was kept, ready to fire into it if the police interfered; and she it was who stood upon the track and gave the signal for exploding the mine, by waving her handkerchief. She and Jelaboff, another of the nihilists executed on Friday, were the only ones who knew beforehand of the last and successful attempt upon the Czar's life. Others of the conspirators knew in a general way that the crime was to be attempted, but they did not know how or when. Jelaboff had been the chief director in the matter, but he was captured by the police two days before the fatal Sunday, and Sophie Perofskia then took the command. Ruskoff, or Ruskoff, the man who threw the bombs, was only made aware of the deed which he was to accomplish on the very day of the crime, and he acted under Sophie Perofskia's orders. Kibalschitsch was the man concerned in laying the mine under the street where the Czar was expected to pass, and Michailoff, who was regarded as a rather stupid individual, was arrested while entering the house which served as the nihilists' headquarters. Hessa Helfmann, who has been reprieved for a while, was arrested at the same place. At the trial, Jelaboff distinguished himself by the acuteness which he showed in cross-questioning witnesses.

The Waterville Mail says that in the absence of the contractor, work has been temporarily suspended at the Winslow mine, and attachments have been laid upon property supposed to belong to him. Very naturally the workmen and boarding house keeper, who have not been paid, are in trouble. Mrs. Mary M. Eaton, a Lewiston widow, had a pension of \$8 a month which was discontinued last fall, through misrepresentation to the Commissioner of Pensions. On Friday she received official information that the pension had been renewed, and that she would receive back pay from last September.

## The Insane Hospital.

The trustees of the Maine Insane Hospital were in session last week. Bids were received for the erection of the new pavilion authorized by the Legislature. It will be remembered that the Legislature restricted the trustees in putting up this building to a sum not exceeding \$24,000. The plan of the building which the trustees desired to erect was drawn by Mr. F. H. East of Portland, and the proposals received for erecting this addition were all in excess of the limit fixed by the Legislature. Bids were made by J. & J. Philbrook, Lisbon; M. C. Foster & Son, Waterville; N. S. Wilbur, Boston; George B. Hoyt & Co., Augusta; Nathaniel Noyes, Augusta; John Shaw, Augusta. These bids were for the entire work. Partial bids were received from A. M. Pierson, Auburn; Otis Pierce, William A. Wall, R. A. Packard and S. D. Turner, Augusta. The trustees have rendered no decision in the matter, and will not until this week, when Mr. East set the architect will be in consultation with them.

## The Three Emperors' League.

[New York Tribune.]

A cable dispatch recently announced that the alliance of the sovereigns of Russia, Germany and Austria, formed about ten years ago, and commonly known in European politics as the Three Emperors' League, has been renewed. The arrangement was originally to a great extent one of personal friendship, and was ratified by frequent visits of the contracting parties to each other's capitals. It did not tie up very closely either of the Powers concerned in it, but it was potent enough to maintain peace between the three in spite of the tension of clashing interests, and its general influence in European diplomacy was strongly conservative. When the late Emperor of Russia was assassinated, it was feared that the League would come to a speedy end. His son, the new Emperor, had shown sympathy for the Pan-Slavic party, which looked upon the compact as a chain to fetter Russia in her efforts for the progress, union and aggrandizement of the Slavonic races. That party is strongly anti-German, and is represented in court and army circles by an element which hates everything Teutonic in politics, art and literature. One of its purposes is to complete the unity of the Slavs, under the lead and rulership of Russia, by detaching from Prussia and Austria the provinces which fell to their share in the partition of the unhappy kingdom of Poland, and confederating all the Slavonic peoples of the Balkan Peninsula. If the new Emperor was ever in full accord with these plans, it would have been abandoned from coming to the throne. A Crown Prince in an absolute monarchy is almost always the pet of the party opposed to the policy of his father; but when he puts on the crown the traditions of his dynasty, his sense of responsibility and the influence of the statesmen who shaped the policy of the country under the former regime are usually sufficient to make him fall in line with the old order of things. This, it would seem, is what has happened to Alexander III.

## Execution of the Assassins.

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## The Eastern Telegraph Company.

Ion, Frederick Robie, Attorney General H. B. Claves, Hon. Fred E. Richards, Frank A. Wilson, J. R. Bodwell and others met at the Hotel North in Augusta, Thursday, and organized the Eastern Telegraph Company. A charter was obtained for that purpose at the last session of the Legislature. It is the purpose of the corporation to soon commence the construction of its lines from Portland to Boston, where western connections can be made upon favorable terms. The officers of the company are: President—Frederick Robie. Directors—J. R. Bodwell; Lewis Barker, A. F. Crockett, Frederick Robie, G. S. C. Dow, Lewis Pierce and J. L. H. Cobb. Secretary and Treasurer—Fred E. Richards.

## Is there any such thing as a science of medicine?

Lord Beaconsfield is lying close to the point of death. Of course a man of his wealth and eminence can command the best professional skill to be found in all Europe. He employed Dr. Quain, a regular physician. Dr. Quain saw fit to consult with Dr. Kidd, who is not a "regular" but an "eclectic," which means, we take it, a doctor who takes his remedies from both the allopathic and homoeopathic schools, and is free to adopt any course of treatment he thinks suited to a patient's case. The College of Physicians, which in Great Britain is the fountain of all allopathic wisdom, has summoned Dr. Quain to answer for his irregular conduct in consulting with Dr. Kidd. Perhaps the sick Earl's chances of getting well are impaired by this quarrel among the doctors. At all events the affair illustrates afresh the deplorable lack of exact knowledge in therapeutics. The medicine which one well educated and conscientious physician thinks just the thing for a given case, another physician, equally well educated and conscientious, will condemn as worthless, or still worse. Meanwhile the lay public who like to have their ailments remedied agents that can be depended on, and if there are, the medical profession does not adopt them without distraction of schools and parties. Chemists do not quarrel as to the effects of two substances upon each other; why should doctors disagree, after centuries of recorded experience to study, as of record of drugs upon the human system? Great progress has undoubtedly been made in diagnosis and in knowledge of the laws governing health and disease, but modes of treatment appear to change like the fashions. What one generation regards as orthodox the next thinks absurd.—New York Tribune.

## The reports on the condition of the wheat crop and live stock, received at the Department of Agriculture, for the month of March, up to April 1st, show an increase of nearly four per cent in the area sown in winter wheat at the date of returns. The condition of the crop was not given in large portions of the principal wheat-growing States, but wherever mentioned it was stated as follows: "An in-keeper is not charged, as such, for property stolen under such circumstances; that keeping an inn and keeping a bath house are separate and distinct employments, involving separate and distinct duties—that is, on the ground that one may be an inn-keeper without being a bath-house keeper, and vice versa; that bath houses, separate and distinct from hotels are not subject to inn-keepers' liability, and that while down at the breakers at Old Orchard beach, the visitor is not such a guest as makes his landlord liable under the ordinary rule pertaining to inn-keepers."

up by means of a powerful engine placed at the mouth of the shaft leading into the tunnel. This shaft is about 300 feet long, and the boring already accomplished is about 600 feet. A new shaft is being driven through Shakespeare Cliff, which when completed will be about 200 feet in depth, and this will enable several additional hands to be employed, and the work to progress much more rapidly than at present.

While Lord Beaconsfield is lingering between life and death, Mr. Gladstone with all his old vigor is laying before Parliament a measure to change once for all the land system in Ireland, "because the Irish land laws contain peculiar provisions which prevent the prosperity of the Irish tenant." He may well say that "this is the most difficult question he ever had to deal with in the whole course of his political life." He is likely to find it more difficult as he progresses with it; and granting it passes through the House of Commons without suffering much material change, it is likely to call up in the House of Lords the bitterest struggle ever known between the two houses. An encouraging sign that there is something in the bill likely to meet Irish tenant wants is the apparent good spirit with which Mr. Gladstone's opening speech was received by the Irish members. "Justice," he concluded, "is the principle to guide England in regard to Ireland." It is a late discovery, but will be none the less, welcome one to the Irish people. The bill is introduced none too soon. There have been 215 families thrown out of such homes as they possessed within the past month.

## In the City.

Schools next week.  
Fast Day to-morrow.  
Rockland city bonds sold at auction in Boston last Saturday at 99.  
Large quantities of lobsters are being shipped.

Mr. John Lovejoy is in Boston attending the convention of the General Ticket Agents.

An adjourned meeting of the City Council will be held next Monday evening.

It is expected that work on the breakwater will be commenced forthwith.

We are still without a Police Judge. But we seem to get along, just as well without one.

The steamer Boston, Monday evening was loaded down with freight. She also had a large number of passengers.

Mr. Miller, janitor of the court-house, has given the rooms a fresh appearance by scrubbing the walls and polishing the wood work.

The Custom House will not be open to-morrow. The Postoffice will be open the usual holiday hours.

Mr. J. P. Wise has purchased the Silas McLean house on Pleasant street, formerly owned by Mrs. Hendricks, and is moving out for his residence.

Mr. C. F. Kittredge is closing out his stock of goods and proposes to have an auction for ladies commencing Saturday afternoon. See advertisement.

We send to the subscribers of the Gazette to-day, an extra containing the public laws passed by the Legislature at its recent session.

It is stated that the Maine Central will run a night train to Bath, provided the Knox & Lincoln will put on a sleeping car.

The next discourse of the series on the Lord's prayer, will, probably, be given by Rev. Mr. Blair, at the Congregational church next Sunday.

Mrs. Vose has removed from Grove street to her house on Middle street where she will be able to receive orders for fashionable dress-making.

On and after next Monday the Sanford line of steamers will make four trips a week, leaving Rockland and Boston on Mondays, Wednesdays, Thursdays and Saturdays.

A. M. Morse & Co., Fashionable Milliners, 315 Main Street, announce their Millinery opening for the 28th and 29th inst.

The union services for Fast Day will be held in the First Baptist Church at 10.30 o'clock. The sermon will be preached by Rev. R. G. Farley of the Cedar Street Baptist church.

F. G. Sighl & Co., milliners, have their opening April 22nd and 23rd. They have a splendid assortment of all the various goods in their line and the ladies will not fail to be on hand. Particulars in advertisement.

The change of time of holding the Sunday school of the First Baptist Church, from afternoon to 12 o'clock, has proved advantageous in a large increase of pupils, and also in a larger attendance of children at the morning service in the church.

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# ROCKLAND GAZETTE, Extra.

## PUBLIC LAWS OF THE STATE OF MAINE,

Passed by the Sixtieth Legislature, A. D. 1881.

### Chapter 1.

AN ACT to amend section one hundred and sixty-nine of chapter six of the Revised Statutes relating to the sale of real estate of resident owners for taxes.

*Be it enacted, by the Senate and House of Representatives in Legislature assembled as follows:*

SECTION 1. Section one hundred and sixty-nine of chapter six of the Revised Statutes, is hereby amended, by inserting after the word "clerk," in the seventh line, the words, "and fifty cents for the deed thereof. If the bidding is for less than the whole it shall be for a fractional part of the estate, and the bidder who will pay the sum due for the least fractional part shall be the purchaser," so that said section shall read as follows:

"SECT. 169. When no person appears to discharge the taxes duly assessed on any real estate of resident owners, with costs of advertising, on or before the time of sale, the collector shall proceed to sell at public auction to the highest bidder, so much of such real estate or thereof, as is necessary to pay the tax then due, with three dollars for advertising and selling it, and twenty-five cents more for each copy required to be lodged, with the town clerk, and fifty cents for the deed thereof. If the bidding is for less than the whole, it shall be for a fractional part of the estate, and the bidder who will pay the sum due for the least fractional part, shall be the purchaser. If more than one right, lot or parcel of land is advertised and sold, the same shall be sold in lots, shall be divided equally among the several lots or parcels advertised and sold at any one time; and the collector shall be entitled to receive in addition, fifty cents on each parcel of real estate so advertised and sold, when more than one parcel is advertised and sold."

SECTION 2. Section one hundred and seventy of said chapter is hereby amended by striking out all of said section after the word "purchaser," in the seventh line thereof; so that said section shall read as follows:

"SECT. 170. When any real estate is sold for taxes, the collector shall within four days after the day of sale, lodge with the treasurer of his town a certificate, under oath, designating the quantity of land sold, the name of the owner or owners of each parcel, and the name of the purchaser or purchasers; what part of the amount of each tax was, and what was cost and charges; and also a deed of each parcel sold, running to the purchaser." [Approved Feb. 6, 1881.]

### Chapter 2.

AN ACT to amend section one hundred and sixty-eight of chapter two hundred and twenty-five, Public Laws of eighteen hundred and eighty, relating to the Militia.

*Be it enacted, etc., as follows:*

SECTION 1. Section one hundred and sixty-eight, chapter two hundred and twenty-five, Public Laws of eighteen hundred and eighty, is hereby amended by inserting, after the word "and," in the fourth and fifth lines, the words "or exchanged," so that said section as amended shall read as follows:

"SECT. 168. The inspector general, or such other officer as the commander-in-chief may designate, shall inspect and condemn public military property which has or may hereafter be used, and no property shall be sold or exchanged until it has become unsuitable for use, and no property shall be sold or exchanged until it has been inspected and condemned, as herein provided, and such condemnation approved by the commander-in-chief. The proceeds of all sales of condemned military property shall be paid into the treasury of the state and used for military purposes." [Approved February 8, 1881.]

### Chapter 3.

AN ACT to amend section fifteen of the Revised Statutes, as amended by chapter two hundred and forty-one of the Public Laws of eighteen hundred and seventy-four, relating to Burying Grounds.

*Be it enacted, etc., as follows:*

Any private cemetery or burying ground, by written agreement of all the owners thereof, recorded by the clerk of the town in which it is situated, may, by vote of such town within one month after the recording of such agreement by the town clerk, become public, and subject to all the provisions of law relating to public cemeteries or burying grounds; provided such agreement shall not be in conflict with the terms of any conveyance or devise of land for the purposes of a burying ground. [Approved February 8, 1881.]

### Chapter 4.

AN ACT to amend section nineteen of chapter eighteen of the Revised Statutes, relating to public and private ways.

*Be it enacted, etc., as follows:*

Section nineteen of chapter eighteen of the revised statutes, is hereby amended by inserting before the word "wood" in the second line thereof, the words "merchandise and hay," so that said section as amended will read as follows:

"SECT. 19. They may lay out a way as aforesaid for the purposes of hauling merchandise and hay, wood or lumber, and to be used only when the way is so covered with snow that such hauling shall not break the soil underneath such way. When so laid out they shall state in their return the purpose for which it is laid, and that it is a certain day in the winter season, and shall order the person or persons for whose accommodation it is laid, to pay into the town treasury an amount equal to the damages and expenses of such location for the benefit of the owner of the land over which it is laid, and it shall not be accepted by the town until such amount has so paid. No town shall be liable for damage to any person traveling on such way." [Approved February 8, 1881.]

### Chapter 5.

AN ACT relating to suits to enforce Liens.

*Be it enacted, etc., as follows:*

Section thirty-three of chapter ninety-one of the revised statutes, is hereby amended so as to read as follows:

"SECT. 32. When the owner dies, or a warrant in insolvency issues against his estate within the ninety

days and before the commencement of a suit, it may be commenced within sixty days after notice given of the election or appointment of the assignee in insolvency, executor or administrator, or the revocation of the warrant; and the lien shall be extended accordingly." [Approved February 11, 1881.]

### Chapter 6.

AN ACT additional to section one, of chapter one hundred and twenty-eight of the Revised Statutes, to regulate the manufacture and sale of Vinegar.

*Be it enacted, etc., as follows:*

SECT. 1. Whoever manufactures for sale, or knowingly offers or exposes for sale, or knowingly causes to be branded or marked as elder vinegar, any vinegar not the legitimate product of pure apple juice, known as apple cider, and not made exclusively of said apple cider, but into which any foreign substances, ingredients, drugs or acids have been introduced, as shall appear by proper tests, shall, for each such offense, be punished by a fine of not less than fifty nor more than one hundred dollars.

SECT. 2. Whoever manufactures for sale, or knowingly offers or exposes for sale, any vinegar found, upon proper tests, to contain any preparation of lead, copper, sulphuric acid, or other ingredient injurious to health, shall, for each such offense, be punished by a fine of not less than one hundred dollars.

SECT. 3. The mayor and aldermen of each town, shall, and the selectmen of towns may, annually appoint one or more persons to be inspectors of vinegar, for each town, in which such places, who, in performing upon their duties, be sworn to the faithful discharge of the same. [Approved February 11, 1881.]

### Chapter 7.

AN ACT to amend section one of chapter nineteen of the Revised Statutes, relating to fast driving on bridges.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter nineteen of the revised statutes shall be amended by inserting after the word "complaint," in the first line of said section, the words "made by any one of the owners of said bridge, or any municipal officer of the town in which said bridge is located," so that said section as amended shall read as follows:

"SECT. 8. For a willful violation of the provisions of the preceding chapter, a person forfeits three dollars, to be recovered on complaint made by any one of the owners of said bridge, or any municipal officer of the town in which said bridge is located, to the use of the owners of the bridge, or the town as required to keep it in repair, with the costs of prosecution; but no person passing after sunset and before sunrise is liable to such forfeiture without proof that he previously had knowledge of such prohibition." [Approved February 11, 1881.]

### Chapter 8.

AN ACT to amend chapter one hundred and seventy-four of the Public Laws of eighteen hundred and eighty-seven, relating to administrators, executors and trustees.

*Be it enacted, etc., as follows:*

Chapter one hundred and seventy-four of the public laws of eighteen hundred and eighty-seven, is hereby amended by adding after the word "executors," in the first line of the act therein set forth as amended, the word "guardians," so that said act as amended shall read as follows:

"Administrators, executors, guardians and trustees are hereby authorized to make out of their several accounts before a justice of the peace, in all cases, and when they reside beyond the limits of this State, before a consular officer of the State of Maine, or a United States consul, when no objection is made by parties interested to the allowance of said account." [Approved February 12, 1881.]

### Chapter 9.

AN ACT relating to actions against Insolvent Estates.

*Be it enacted, etc., as follows:*

Section seventeen of chapter sixty-six of the revised statutes is hereby amended by striking out the last line, and by substituting the word "deceit" for the word "representation," wherever it occurs, so that said section shall read as follows:

"SECT. 17. Actions pending on claims not preferred, when a decree of insolvency is made, may be discontinued without costs; or continued, tried and judgment rendered with the effect, and satisfied in the manner provided in cases of appeal. No action can be commenced, except on a preferred claim, after such decree." [Approved February 12, 1881.]

### Chapter 10.

AN ACT to amend section four of chapter fifty-five of the Revised Statutes relating to Libraries, Charitable Societies and Public Cemeteries.

*Be it enacted, etc., as follows:*

Section four of chapter fifty-five of the revised statutes is hereby amended by striking out the "twenty-five" and inserting "one hundred" instead thereof, so that said section as amended shall read as follows:

"SECT. 4. Such corporation may take and hold by purchase, gift, devise, or bequest, personal or real estate, in all not exceeding in value one hundred thousand dollars, owned at any one time, and use and dispose thereof only for the purposes for which the corporation was organized." [Approved February 12, 1881.]

### Chapter 11.

AN ACT to amend section forty, chapter three of the Revised Statutes relating to city ordinances.

*Be it enacted, etc., as follows:*

Section forty, chapter three of the revised statutes, is hereby amended by adding at the end thereof, the following:

"Eleventh. Any city may establish ordinances regulating the purchase and sale of old junk, metals and other articles usually bought by old junk dealers, and may therein prescribe such conditions to be observed by buyers and sellers as the city or town may deem best, to prevent or detect the sale or purchase of stolen goods; and suitable penalties may be prescribed in such ordinances for any violation thereof." [Approved February 14, 1881.]

### Chapter 12.

AN ACT to repeal section thirty-one of chapter two hundred and thirty-nine of the Public Laws of one thousand eight hundred and eighty, and to amend section fifty-six of chapter forty-nine of the Revised Statutes relating to the report of the Insurance Commissioner.

*Be it enacted, etc., as follows:*

SECT. 1. That section thirty-one of chapter two hundred and thirty-nine, of the public laws of one thousand eight hundred and eighty, be, and is hereby repealed.

SECT. 2. That section fifty-six of chapter forty-nine, of the revised statutes, be, and is hereby amended as follows: by striking out the fifth line of the word "legislature," and inserting the words "governor and council, and cause to be at once published." Also insert after the word "prepare," in the eighth line, the words "and publish as aforesaid," so that said section as amended shall read as follows:

"The commissioner shall preserve in a proper form, the statement of the condition of every company examined or caused to be examined by him, and all which shall be rendered to him as herein required; and shall annually report to the governor and council, and cause to be at once published, the general condition of the insurance companies doing business in this state, and such suggestions as he thinks proper in connection therewith and shall prepare and publish as aforesaid, a statement of all returns, and statements made to him by insurance companies." [Approved February 12, 1881.]

### Chapter 13.

AN ACT relating to licenses to keep Bowling Alleys and Billiard Rooms.

*Be it enacted, etc., as follows:*

Section four of chapter twenty-nine of the revised statutes is hereby amended by adding thereto the words "and such licenses shall expire on the first day of May next after they are granted, and unless sooner revoked," so that said section as amended shall read as follows:

"SECT. 4. The municipal officers of towns may license suitable persons to keep bowling alleys and billiard rooms therein, in any place where it will not disturb the peace and quiet of a family, and in which the person licensed shall pay ten dollars to the use of such town; and such licenses shall expire on the first day of May next after they are granted, unless sooner revoked." [Approved Feb. 12, 1881.]

### Chapter 14.

AN ACT to amend section fifteen of chapter seventy-four of the Public Laws of eighteen hundred and eighty-eight, as amended by chapter one hundred and fifty-four of the Public Laws of one thousand eight hundred and eighty-nine, relating to the Insolvent Laws of Maine.

*Be it enacted, etc., as follows:*

Section fifteen of chapter seventy-four of the public laws of one thousand eight hundred and eighty-eight, as amended by chapter one hundred and fifty-four of the public laws of one thousand eight hundred and eighty-nine, is hereby amended, by striking out the word "two" and inserting the word "one" in the first line, and by inserting after the word "resides," in the third line thereof, the words "or from which he has absconded or removed beyond the limits of the State, within six months before the filing of said petition," so that said section as amended shall read as follows:

"SECT. 15. When one or more creditors of a debtor shall make application under oath, by petition by them signed, to the judge of the county in which the debtor resides, or from which he has absconded or removed beyond the limits of the state, within six months before the filing of said petition, leaving property or effects in said county, or setting forth that they believe their aggregate debts provable under this act, amount to more than one-fourth part of the debts provable against such debtor, and that they further believe and have reason to believe, that said debtor is insolvent, and that it is for the best interests of all the creditors that the assets of such debtor should be divided as provided by this act, and it shall be satisfactorily made to appear to the judge that the allegations contained in such application are true, and that such debtor is insolvent, it shall be the duty of the judge to issue his warrant, under his hand, to the sheriff of the county or clerk of his deputies, directing him forthwith to attach the real and personal estate of the debtor not exempt by law from attachment and seizure on execution, wherever the same be situated, within this state, and forbidding the payment to or by such debtor of any debt, demand or claim whatsoever, or any of his estate, property, rights or credits, and the making of any contracts, or any other act, in relation thereto, or relating thereto, until such warrant shall be revoked by said judge. Upon the issuing of such warrant, the register shall cause an order of attachment of such application and warrant to be served upon the debtor, or such other notice as the judge may order to be given, who thereupon may appear, and set forth what he had upon such application by the judge, who may thereupon revoke such warrant, unless such allegations are proved. After the service of copy of the application and warrant upon such debtor, or the giving of such other notice as the judge may order provided by this section, the judge, on revocation of such warrant, any payment of any debt, demand or claim, to or by said debtor, and any sale, transfer, mortgage, pledge, conveyance, or contract, for the sale or purchase of any estate, property, rights or credits of such debtor, by such debtor, or his agent or attorney, shall be null and void, if, upon hearing or default, the judge shall find the allegations of such application to be true and proved, and that said debtor is insolvent, and that he has absconded or removed beyond the limits of the state, within six months before the filing of this act." [Approved February 12, 1881.]



An Act entitled "An Act limiting the allowance for travel and attendance to parties recovering costs in the courts of this state," approved February twenty, eighteen hundred and seventy-nine, being chapter one hundred and six of the public laws of



eighteen hundred and seventy-nine, is hereby repealed. [Approved March 2, 1881.]

**Chapter 35.**  
AN ACT to amend chapter one hundred and ninety-three of the Public Laws of eighteen hundred and seventy-four, relating to the Jurisdiction of Courts. *Be it enacted, &c., as follows:*

SECT. 1. Section one of chapter one hundred and ninety-three of the public laws of eighteen hundred and seventy-four, is hereby amended so as to read as follows:

"SECT. 1. From and after the passage of this act, clerks of judicial courts shall make extended records of proceedings in court, in all actions contested by issue joined before the court or jury, in actions of divorce, cases in equity, real actions, libels for libel, petitions for partition, petitions to enforce liens, and actions upon mortgages, without unreasonable delay after the rendition of final judgment. In all other cases, it shall be sufficient to record the names of the parties, date of writ, the term of the court at which entered, date of service or notice to defendants, the time of rendition of judgment, its nature and amount, and the number of cases upon the docket at the judgment term, and that, upon motion of either party, the court may, if special case be shown, order a full record in any case."

SECT. 2. Section two of chapter one hundred and ninety-three of the public laws of eighteen hundred and seventy-four, is hereby repealed. [Approved March 2, 1881.]

**Chapter 36.**  
AN ACT to amend section sixty-two of chapter eighty-two of the Revised Statutes, relating to the powers and duties of Auditors. *Be it enacted, &c., as follows:*

Section sixty-two of chapter eighty-two of the revised statutes is hereby amended by inserting after the word "court," in the fourth line of said section, the following: "upon such matters as may be ordered by the court; and the report shall be prima facie evidence upon such matters only as are expressly embraced in the order," so that said section, as amended, shall read as follows:

"SECT. 62. When an investigation of accounts, or an examination of vouchers is required, the court may appoint one or more auditors to hear the parties and their testimony, state the accounts, and make a report to the court upon such matters as may be ordered by the court, and the report shall be prima facie evidence upon such matters only as are expressly embraced in the order. The auditors shall certify the parties of the time and place of hearing, and have power to adjourn; witnesses may be summoned and compelled to attend, and to swear by the auditor." [Approved March 2, 1881.]

**Chapter 37.**  
AN ACT explanatory of section three of chapter seventy-eight of the Public Laws of eighteen hundred and seventy-eight, relating to Tramps. *Be it enacted, &c., as follows:*

The words "all costs to be paid by the state," in the fifth line of section three of said act, shall be construed to mean costs and expenses incurred under the provisions of said act. [Approved March 3, 1881.]

**Chapter 38.**  
AN ACT to amend section six of chapter sixty-three of the Revised Statutes, relating to the Jurisdiction of Probate Courts. *Be it enacted, &c., as follows:*

Section six of chapter sixty-three of the revised statutes, is hereby amended so that said section as amended shall read as follows:

"SECT. 6. The court or courts may take the probate of wills, grant letters testamentary or of administration on the estates of all deceased persons, and at the time of such probate, may admit to the residence of his county, or who, not being residents of the state, died leaving estate to be administered in his county, or at any place, a few miles from there; also on the estate of any person who is under sentence of death and confined in the state prison awaiting his execution, and may have jurisdiction of all matters relating to the settlement of such estates. He may receive and hold the same, and others according to law, and have jurisdiction as to persons under guardianship, and to whatever else is conferred on him by law." [Approved March 5, 1881.]

**Chapter 39.**  
AN ACT relating to practice in the Supreme Judicial Court. *Be it enacted, &c., as follows:*

The affidavit required by rule VI, of the supreme court, to pleas or motions in abatement, may be made at any time before the entry of the action or before filing the same, as provided by the rule aforesaid. [Approved March 7, 1881.]

**Chapter 40.**  
AN ACT to amend section one hundred and fifty-six of chapter two hundred and twenty-five of the Public Laws of eighteen hundred and eighty, concerning the Militia. *Be it enacted, &c., as follows:*

Section one hundred and fifty-six, of chapter two hundred and twenty-five, of the public laws of the year eighteen hundred and eighty, is hereby amended as follows: by inserting after the words "from time to time," in the fifth line, the words "for a sum not exceeding sixteen thousand dollars annually," so that said section, as amended, shall read as follows:

"SECT. 156. The commander-in-chief is hereby authorized to establish and prescribe such rules, regulations, forms and precedents as he may deem proper for the use, government and instruction of the volunteer militia; and to carry into full effect the provisions of this law, the governor is hereby authorized to draw his warrant from time to time, for a sum not exceeding sixteen thousand dollars annually, on any funds in the treasury, not otherwise expended, for the expense thereof." [Approved March 7, 1881.]

**Chapter 41.**  
AN ACT to amend section two of chapter one hundred and sixteen of the Revised Statutes, in relation to travel of Trial Justices and Justices of the Peace and of the Quorum. *Be it enacted, &c., as follows:*

Paragraph twenty-two, of section two, of chapter one hundred and sixteen of the revised statutes, is hereby amended, adding after the word "way," in the last line of said paragraph, the words, "Travel on any official duty shall not be taxed for over ten miles one way, and for the return trip, if the same is for active travel," so that said paragraph, as amended, shall read as follows:

"No examination of a debtor under the laws for the relief of poor debtors, two dollars for each

day employed in such examination; and this shall be for payment for all calls and services, as aforesaid, in such examination, exclusive of travel. For travel on any official duty, twelve cents a mile one way. Travel on any official duty, shall not be taxed for over ten miles one way, and in no case shall there be constructive travel." [Approved March 7, 1881.]

**Chapter 42.**  
AN ACT to amend section sixty-seven of chapter four of the Revised Statutes, relating to punishment for bribery and corruption at Elections. *Be it enacted, &c., as follows:*

Section sixty-seven, chapter four, of the revised statutes, shall be amended by inserting after the word "chapter," in the sixth line, the words, "or if any person shall receive or offer to receive a bribe for his vote as aforesaid," so that said section as amended shall read as follows:

"SECT. 6. If any person by bribery, menace or willful disobedience to law, or corrupt means, directly or indirectly attempts to influence any voter of this state in giving his vote or ballot, or to induce him to withhold it, or disturbs or hinders him in the free exercise of his right of suffrage at any election held under the provisions of the constitution or of this chapter, or if any person shall receive or offer to receive a bribe for his vote as aforesaid, he shall be fined not more than five hundred dollars, or imprisoned not more than one year, and be ineligible to any office in this state for ten years." [Approved March 9, 1881.]

**Chapter 43.**  
AN ACT to amend section one hundred and sixty-three of the Public Laws of eighteen hundred and seventy-seven, relating to Loitering in Public Places. *Be it enacted, &c., as follows:*

Section one of chapter one hundred and sixty-three of the public laws of eighteen hundred and seventy-seven is hereby amended by inserting after the word "corporation," in the third line, the words "or steamboat," and after the word "the work of the officers and agent of such steamboat;" and after the word "company" in the fourth line of said fourth section, the words "and route of steamships," so that said section, as amended, shall read as follows:

"SECT. 1. No person or persons shall loiter or remain, without right, on the wharves, docks, or a railroad corporation or steamboat, or upon the platform or grounds adjoining such station, after being requested to leave the same by any railroad officer or agent of such steamship."

"SECT. 4. It shall be the duty of the officers of the several railroad corporations and steamboats in the state, to have posted in a conspicuous place, in several depots along the line of the road, the company and route of steamships a copy of the above law." [Approved March 9, 1881.]

**Chapter 44.**  
AN ACT to amend chapter eighty-three of the Public Laws of one thousand eight hundred and seventy-two, relating to granting new trials. *Be it enacted, &c., as follows:*

Chapter eighty-three of the public laws of one thousand eight hundred and seventy-two, shall be amended by inserting after the word "court" in the first line thereof the words "or of the superior courts in Cumberland and Kennebec counties," so that said chapter as amended shall read as follows:

"Any justice of the supreme judicial court or of the superior courts in Cumberland and Kennebec counties, may set aside a verdict and grant a new trial in a case tried before him, when in his opinion the evidence in the case demands it. Such verdict must be set aside at the same term at which it was rendered, but it shall not be set aside by a single justice when there are two or more justices, rendered as an applicant." [Approved March 9, 1881.]

**Chapter 45.**  
AN ACT to amend chapter fifty, section ten of the Revised Statutes, in relation to the taxation of land, timber and timberland. *Be it enacted, &c., as follows:*

Chapter fifty, section ten of the revised statutes is hereby amended by inserting the word "and," in the word "wood," in the second and fourth lines of said section, so that said section as amended shall read as follows:

"SECT. 10. Whenever the owner of real estate notifies the assessors that any part of the wood, bark and timber standing thereon has been sold by contract, in writing, and exhibits to them proper evidence thereof, they shall assess such wood, bark and timber to the purchaser thereof." [Approved March 9, 1881.]

**Chapter 46.**  
AN ACT to amend section thirteen of chapter seventy-three of the Revised Statutes, relating to conveyances in mortgage, and conveyances in trust. *Be it enacted, &c., as follows:*

Section thirteen of chapter seventy-three of the revised statutes, is hereby amended by striking out the words "and the word 'and' be inserted, and inserting in place thereof the word 'or,' so that said section, as amended, shall read as follows:

"SECT. 13. When real estate is conveyed in mortgage or in trust to two or more persons, with power to appoint a successor to one deceased, it is to be held in joint tenancy and the interest therein is to be expressed. When one or more of the trustees, by death or otherwise, is directed of his interest, those remaining trustees shall hold and transmit upon the same trusts, without impairing the joint tenancy, to trustees by them appointed, who will hold the title, have the rights and incur the liabilities of the other trustees. Personal property, with real estate and upon the same trusts, is to be considered as held in joint tenancy, and the same shall be transmitted to the remaining trustees with the real estate and held in like manner." [Approved March 9, 1881.]

**Chapter 47.**  
AN ACT to amend section two of chapter forty-eight of the Revised Statutes, concerning manufacturing, mining and quarrying corporations. *Be it enacted, &c., as follows:*

Section two of chapter forty-eight of the revised statutes is hereby amended by striking out of the fourth line thereof, the words "or be treated as if said section as amended, shall read as follows:

"SECT. 2. These officers are to be chosen annually, by an association of officers till officers are chosen and qualified in their stead. There are not to be less than three directors, one of whom is to be president. No director shall hold office more than one office after he ceases to be a stockholder. The treas-

urer is to give bond for the faithful discharge of his duties as such officer, and after notice and hearing is given. The clerk is to be sworn, and to record all votes of the corporation in a book kept for that purpose." [Approved March 9, 1881.]

**Chapter 48.**  
AN ACT to amend section eighteen of chapter one hundred and eighty-nine of the Public Laws of eighteen hundred and seventy-four, relating to Railroad Crossing. *Be it enacted, &c., as follows:*

SECT. 1. Section eighteen of chapter one hundred and eighty-nine of the public laws of eighteen hundred and seventy-four, is hereby amended by inserting after the word "reasonable," in the eighth line, the following words: "or that a crossing is necessary for the public safety, at said crossing, they may order one to be stationed there upon said application, instead of gates and, so that said section, as amended shall read as follows:

"SECT. 18. When the municipal officers of a town deem it necessary, for public safety, that gates should be erected across a way where it is crossed by a railroad, and that a person should be appointed to open and close them, they may, in writing, request it to be done; and in case of neglect or refusal, they may apply to the county commissioners to decide upon the reasonableness, and if they deem it necessary, to decide. When they decide that such a request is reasonable, or that a dam is necessary for the public safety, at said crossing, they may order one to be stationed there upon said application, instead of gates, and the corporation is to comply with it and pay the cost of the same, or, if otherwise, the costs are to be paid by the applicants."

SECT. 2. This act shall apply to any application for gates pending before any board of county commissioners.

SECT. 3. This act shall take effect when approved. [Approved March 9, 1881.]

**Chapter 49.**  
AN ACT to abolish continuance fees in certain Supreme Judicial and Superior Courts of the state. *Be it enacted, &c., as follows:*

SECT. 1. All fees for the continuance of causes in the supreme judicial and superior courts of the state in which the clerks are salaried officers, are hereby abolished.

SECT. 2. All acts and parts of acts inconsistent with this act shall be void. [Approved March 9, 1881.]

**Chapter 50.**  
AN ACT for the better protection of life in buildings used for public purposes. *Be it enacted, &c., as follows:*

SECT. 1. Any church, theatre, hall or other building, or structure hereafter used for public purposes permanently for any public purpose, or any school-house or school-room, public or private hereafter constructed, shall be provided with fire-escapes to be used for egress therefrom upon emergencies.

SECT. 2. All outer doors of buildings or structures of the kind mentioned in the first section of this act constructed or hereafter to be constructed, shall be kept open when such buildings or structures are used by the public, unless such doors are outward, and except that fly-doors opening both ways may be kept closed.

SECT. 3. All houses used for the accommodation of the public, and all shops, mills, factories and other buildings, more than two stories in height, in which any trade, manufacture or business is carried on, which requires the presence of workmen or other persons in any part of the building above the first story, shall be provided with such suitable and sufficient fire-escapes, outside stairs or ladders, as the municipal officers shall deem to be sufficient to afford a means of escape in case of fire, and such fire-escapes or ladders shall be attached to the building or be stored outside of such building and convenient for use by the municipal officers shall direct, and shall be of such length and number as said officers shall approve.

SECT. 4. Where the provisions of section one, two or three of this act, shall forfeit the sum of fifty dollars, and a further sum of five dollars per day for every day thereafter such sum shall be recovered by and for the use of the town or city where such building is located, in an action on the case, or by indictment.

SECT. 5. Whenever complaint is made to the municipal officers of any town, that any building of the kind mentioned in the first section of this act, or hereafter to be constructed, is deficient in facilities for egress by reason of the inner doors thereof opening inwards, or for the want of fire-escapes, outside stairs or ladders herebefore specified, it shall be the duty of such municipal officers to give notice to all parties interested in said matter, and to inspect such building, and if they find the same so deficient they shall notify the owner, owner, lessee, or other person having charge thereof, and require of him such changes as shall be necessary to make said doors open outwards, and to provide suitable and sufficient fire-escapes, outside stairs or ladders to be attached to such building as herein provided, and such person shall be allowed thirty days to make such changes and provisions, and if he shall neglect or refuse to make and provide the same within said time, he shall forfeit the sum of fifty dollars, and an additional sum of five dollars per day for every day's continuance of such neglect or refusal to comply with the provisions of this act, to be recovered by and for the use of the city or town where the building is located, in an action on the case, or by indictment. [Approved March 9, 1881.]

**Chapter 51.**  
AN ACT additional to chapter fifty-one of the Revised Statutes, and to other acts relating to the transportation of passengers and freight by railroad. *Be it enacted, &c., as follows:*

SECT. 1. Sections seventy-six and seventy-seven of chapter fifty-one of the revised statutes of this state, and chapter twenty-four of the acts of eighteen hundred and seventy-nine, and all other chapters and acts relating to the transportation of passengers and freight by railroad, shall be amended so that they shall have the same authority and power as in cases where the railroads make a close and direct connection; and no railroad, adding to its existing line, shall be required to demand or receive of any other railroad doing business within the same, whether making direct connection or not, or where the same may be made from freight forwarded over the same, higher rates of fare or freight than it demands or receives of any other railroad with which it has no connection.

SECT. 2. No rebate, drawback, allowance of



other advantage shall be made or extended by any railroad in favor of another railroad doing business over the same, by which the operation of the foregoing section shall be changed or affected, or by which one railroad doing business over the same, shall receive any greater advantage than any other railroad doing business over the same, shall receive.

SECT. 3. Any railroad company chartered under the laws of this state, which shall refuse to receive, transport or deliver any freight, merchandise or passengers according to the provisions of this act, and under the terms thereof, or which shall demand or receive from any other railroad in this state, for the transportation of its passengers or freight, any sum in excess or violation of said provisions, shall, for each offense, forfeit and pay to the corporation injured, the sum of one hundred dollars, to be recovered by an action on the case in any county in which any of the parties in such action is a residence or place of business.

#### Chapter 52.

AN ACT in relation to suits on Administrator's and Executor's Bonds.

*Be it enacted, &c., as follows:*

No action shall hereafter be commenced or maintained against any surety or sureties on any administrator's or executor's bond, unless the same shall have been commenced within six years after said administrator or executor shall have been cited to appear to settle his account in the probate court where administration or executorial proceedings were commenced, or within six years from the time of the breach of the bond, unless such breach is fraudulently concealed by the executor or administrator, or by the heirs, legatees or persons peculiarly interested in who are parties to the suit, and in such case within three years from the time of its discovery.

[Approved March 12, 1881.]

#### Chapter 53.

AN ACT additional to chapter eighteen of the Revised Statutes, relating to damages for land taken for highways.

*Be it enacted, &c., as follows:*

If damages shall be claimed by any person in their property, by laying out, altering or discontinuing a highway or town way, the commissioners or municipal officers of towns shall estimate the same, and in their return state the share of each separately, but they shall not order such damages to be paid, nor shall a person claim damages for a right to demand the same, until the land over which the highway or alteration is located, has been entered upon and possession taken for the purpose of constructing or using it. Provided, however, that unless such land is so entered upon and possession taken for said purpose within three years after the laying out or alteration, the proceedings shall be void.

[Approved March 12, 1881.]

#### Chapter 54.

AN ACT additional to chapter seventy-one of the Revised Statutes, concerning sales of real estate by license of court.

*Be it enacted, &c., as follows:*

Whenever application is made for the sale of real estate and any interests therein, under the provisions of the first, second and third clauses of section one of said chapter seventy-one, the judge of probate may, with the written consent of the widow, who may have any rights or dower in the estate for the sale of which such application is made, grant a license to sell such real estate, or any interest therein, including the widow's dower and the reversion thereon. In such case the widow shall be entitled to her share of the proceeds of the sale under such license, equal to the present value of her share in the real estate sold, to be estimated by the judge of probate, according to her age; and the residue thereof, after paying debts and expenses of administration, shall be distributed to the heirs at law, as real estate would by law if there had been no widow, or to the devise named in the will of the deceased according to the terms of such will. [Approved March 12, 1881.]

#### Chapter 55.

AN ACT in relation to fees for travel and attendance in the Superior Court of Kennebec County.

*Be it enacted, &c., as follows:*

SECT. 1. The allowance for travel and attendance to parties recovering costs in the superior court of Kennebec county, shall not be limited to two terms, and shall be the same for the plaintiff as for the defendant in a suit; and all acts and parts of acts inconsistent herewith are hereby repealed.

SECT. 2. This act shall be effective when approved.

[Approved March 12, 1881.]

#### Chapter 56.

AN ACT relating to the Reform School.

*Be it enacted, &c., as follows:*

SECT. 1. The trustees of the state reform school are hereby authorized to accept, on probation and on such terms as they may deem expedient, to any suitable inhabitant of this state, any boy in their charge, for a term of time within the period of his sentence, such probation to be conditioned on his good behavior and obedience to the laws of this state. Such boy shall, during the term for which he was originally sentenced, to the reform school, be also subject to the care and control of the trustees, and on their being satisfied at any time, that the welfare of the boy will be promoted by his return to the school, they may order his return, and may enforce such order by application to any trial justice or justice of any police or municipal court for a warrant, or for any purpose, which may be served by any officer authorized to serve criminal process. On his recommitment to the school, the trustees shall then be held detained and under by force of the original mittimus.

SECT. 2. Section nine of chapter one hundred and forty-two of the revised statutes is hereby amended by striking therefrom the words "and not less than one year."

[Approved March 12, 1881.]

AN ACT to amend chapter one hundred and forty-four of the Public Laws of eighteen hundred and seventy-six, entitled, "An Act relating to Insurance Companies."

*Be it enacted, &c., as follows:*

SECT. 1. Section one of chapter one hundred and forty-four of the public laws of eighteen hundred and seventy-six, entitled, "An Act relating to Insurance Companies," is hereby amended by striking out the word "hereafter" in the first line, and by adding at the end of the section the following: "The meetings of the directors of the said company shall be held in this state." The meetings of the directors shall be held in this state.

SECT. 2. In all cases in which a majority of the directors of any insurance company are not citizens of this state, the terms of office of those residing out of the state shall terminate at the close of the year of April, in the year of our Lord one thousand eight hundred and eighty-one, and the directors then re-elected shall be citizens of this state, subject to the vacancies, or such of them as they deem necessary, until the next annual meeting of the policy holders, when they shall be subject to the election of the directors on a full board. No vacancy occurring in the board before the thirtieth day of April, in the year of our Lord one thousand eight hundred and eighty-one, shall be filled till on or after that day.

SECT. 3. The provisions of any charter inconsistent with the provisions of this act, shall be null and void from and after the passage of this act.

SECT. 4. This act shall take effect when approved.

[Approved March 12, 1881.]

#### Chapter 58.

AN ACT to repeal chapter one hundred and sixty of the Public Laws of eighteen hundred and seventy-seven, in relation to a bounty on bears, and to provide for a bounty on bears.

*Be it enacted, &c., as follows:*

SECT. 1. Chapter one hundred and sixty of the public laws of eighteen hundred and seventy-seven, in relation to a bounty on bears, is hereby repealed.

SECT. 2. No bounty in any case shall be paid unless the plantation, town or village, in which the animal was actually killed, shall be satisfied that the same was killed in such plantation, town or village in this state between the first day of June and the first day of November in each year, nor unless said treasurer shall so certify to the governor and council. [Approved March 12, 1881.]

#### Chapter 59.

AN ACT to amend section four of chapter eighty-two of the Revised Statutes, relating to attachment of the estates of absent defendants.

*Be it enacted, &c., as follows:*

Section four of chapter eighty-two of the revised statutes is hereby amended by adding thereto the following: "and any judgment or attachment made on the original writ, shall continue one year and thirty days after said judgment is so rendered when no bond is given or attachment is made on the original writ, shall continue thirty days after said bond is filed with the clerk of said court, so that said section as amended shall read as follows:

"SECT. 4. When judgment is rendered on default of an absent defendant in a personal action as provided in the preceding section, execution may be issued thereon within one year thereafter, unless the plaintiff first gives bond to the defendant, with one or more sureties in double the amount of damages and costs, conditioned to repay the amount to the defendant if the judgment is reversed on review, to the satisfaction of the court. If no such bond is given, or so much of the amount recovered, as is recovered back on such review, and any attachment made on the original writ, shall continue one year and thirty days after said judgment is so rendered when no bond is given, and when a bond is given, the attachment shall continue thirty days after said bond is filed with the clerk of said court."

[Approved March 12, 1881.]

AN ACT to amend chapter two hundred and five of the Public Laws of eighteen hundred and eighty, in relation to Registry of Deeds from the State.

*Be it enacted, &c., as follows:*

Section one of chapter two hundred and five of the public laws of eighteen hundred and eighty, is hereby amended by striking out the words "and approved by the governor, or certified by the secretary of state and approved by the governor," in the first and seventh lines, and by inserting instead thereof, the words, "or other legal custodian of such records," so that said section as amended shall read as follows:

SECT. 1. A copy from the records now in the land office of a deed from the state, of the land of any person or persons, or of a grant of land, or of the wealth of Massachusetts, of the individual lands of the state and said commonwealth, certified by the legal custodian of such records, or by a true copy of such record, may be filed and recorded in the registry of deeds in the county where the land lies, and shall have the same effect as if the deed itself had been recorded, and certified copies thereof from such registry shall be evidence when the original would be.

[Approved March 12, 1881.]

#### Chapter 61.

AN ACT to amend section nineteen of chapter twelve of the Revised Statutes, relating to Parishes and Religious Societies.

*Be it enacted, &c., as follows:*

Section nineteen of chapter twelve of the revised statutes is hereby amended, by adding thereto the following: "Such corporations are also invested with the power to organize as corporations, and to make such alterations in relation to their constitution, improvement or disposition as they may be authorized by the rules of their church to make or be instructed to make by the church or society to which they hold such estate in trust, which contracts may be provided, however, that no disposition of such estate shall be made inconsistent with the terms of the contract which is held in that said section, as amended, shall read as follows:

"SECT. 19. The church wardens of Episcopal churches, or stewards or trustees of Methodist Episcopal church, and the deacons of all other protestant churches, are so far corporations as to take, receive and hold all grants and donations of real and personal estate made to their churches, to them and their successors; and if the ministers, elders or deacons be joined with them in such grants or donations, the two classes of corporations are also invested with the power to organize as corporations, and to make such alterations in relation to their constitution, improvement or disposition, as they may be authorized by the rules of their church to make or be instructed to make by the church or society to which they hold such estate in trust, which contracts may be provided, however, that no disposition of such estate shall be made inconsistent with the terms of the grant by which it is held."

[Approved March 12, 1881.]

#### Chapter 62.

AN ACT to regulate admission to the Bar in this State.

*Be it enacted, &c., as follows:*

SECT. 1. No person who has not been a member of the bar of any state or territory, of good standing and in active practice, for at least three years, shall be admitted to practice in the courts of this state, unless he shall be recommended by the examination of a committee of five of some attorney at law, or part of the time in such office, and the remainder of some law school, and shall also pass a satisfactory examination in his legal studies.

SECT. 2. All examinations shall be public, and in the presence of some justice of the supreme judicial court during term time. The time for holding same in each county, not exceeding twice in each year, shall be fixed by the committee of the bar. The examination shall be partly oral and partly written, and shall be conducted by an examining committee of the bar, in each county, to be appointed by the chief justice. No candidate shall be admitted whose education or character is not satisfactory to the presiding justice, nor unless notice of the intended application is given by the clerk of the court to which application is to be made in some newspaper, for thirty days at least before such admission. All candidates must present to the examining committee, written recommendations from the members of the bar of the county in which they have studied, and passed all fees now prescribed by law.

SECT. 3. Any person not having been admitted to practice law in this state, or whose name shall have been struck from the roll of attorneys, who shall advertise as, or represent himself to be, an attorney at law, shall be liable to conviction therefor, and be punished by fine not exceeding five hundred dollars, or by imprisonment in the county jail not less than three months; and no person whose name shall have been struck from the roll of attorneys for misconduct shall be allowed to practice as an attorney, until he shall have secured an attorney for his re-admission, or until he shall have secured a trial justice, justice of the peace, or justice of the court, to whom he shall have applied for appointment as a trial justice, justice of the peace, or justice of the court.

SECT. 4. All acts and parts of acts inconsistent with this are hereby repealed. [Apr. 15th, 1881.]

#### Chapter 63.

AN ACT to amend section forty-nine of chapter forty-nine of the Revised Statutes, and to require the Insurance Commissioner to give bond.

*Be it enacted, &c., as follows:*

Section forty-nine, chapter forty-nine of the revised statutes, is hereby amended by striking out all after the word "and," in the fifth line, and inserting in lieu thereof, the following: "and including the word 'council,' in the fifth line, and adding at the end of said section, the following words: 'and shall be liable to conviction therefor, and be punished by fine not exceeding five hundred dollars, or by imprisonment in the county jail not less than three months; and no person whose name shall have been struck from the roll of attorneys for misconduct shall be allowed to practice as an attorney, until he shall have secured an attorney for his re-admission, or until he shall have secured a trial justice, justice of the peace, or justice of the court, to whom he shall have applied for appointment as a trial justice, justice of the peace, or justice of the court.'

SECT. 4. An insurance commissioner shall be appointed by the governor and council, who shall hold his office for one year, unless removed, but shall not at the same time be examiner of banks. He shall have no compensation for his official services except the salary of the county clerk under the provisions of his official duties. In any part of the state, and at all times, he shall be subject to the audit of all his doings, and of all matters relating to the subject of insurance and insurance companies, on which he is officially called to account, and shall make a true and accurate account of all fees received from said companies and brokers for licenses, and settle the same annually with the treasurer of the state, and shall pay into the treasury of the state five thousand dollars for the faithful discharge of his duties," so that said section when amended shall read as follows:

[Approved March 15, 1881.]

#### Chapter 64.

AN ACT in relation to the compensation of Jailors for the support of Prisoners.

*Be it enacted, &c., as follows:*

SECT. 1. The jailer's fees for the commitment or discharge of a prisoner shall be twenty cents; and for the custody of each prisoner of every description committed to his custody, such sum not exceeding one dollar and seventy-five cents per week, as the county commissioners judge reasonable, when the average number is not less than sixteen persons per week; the average to be made on each account of time exhibited by the jailer. When the average is less than sixteen and not less than twelve prisoners per week, such sum not exceeding two dollars per week, as the county commissioners judge reasonable. When the average is less than twelve and not less than eight prisoners per week, such sum not exceeding two dollars and forty cents per week, as the county commissioners judge reasonable, and when the average is less than eight prisoners per week, such sum not exceeding two dollars and fifty cents per week, as the county commissioners shall judge reasonable.

SECT. 2. Any person or party interested in such adjudication of the county commissioners, shall have the right to appeal therefrom to the supreme judicial court, if application for such appeal shall be made and filed with said commissioners within ten days after said adjudication shall have been made. Such appeal shall be entered at the term of the said supreme judicial court next begun and holden in the same county, or at the next term of the said court, or, in case said court is a party or interested, at the term of said court next begun and holden in any adjoining county, and shall be made in due time.

SECT. 3. The appellant shall file in the appellate court certified copies of all papers in the case before the county commissioners, and of the record to be made, or a declaration of his claim, to which the other party may reply, and the issue shall be formed, and the case tried and argued, at said term, as in common law.

SECT. 4. All acts or parts of acts, inconsistent with the foregoing sections, are hereby repealed.

[Approved March 15, 1881.]

#### Chapter 65.

AN ACT providing for the care, in a certain glass of plantations, shall be under the care of the Assessors of such plantations.

*Be it enacted, &c., as follows:*

Persons found in plantations having a population



... and the ...



in, to show cause why such review should not be granted, because such review is granted, the justice may prescribe the time in which the respondent's defense shall be made. Reviews may also be granted on petition, whenever without fault of the party against whom decree was ordered by fraud, accident or mistake, justice has not been done; provided, the petition therefor shall be filed within six years after final decree, and notice may be ordered and served with like rights of stay or supersedeas as herein provided. Upon granting the review, the court may fix a time within which the next proceeding shall be had.

SECT. 26. Nothing herein contained shall abridge the power of the court to hold all interlocutory orders and decrees subject to revision, at any time before final decree, except when they shall have been decided on appeal.

SECT. 27. It shall be the duty of the court to make all proper rules for the regulation of the practice in equity causes, necessary to simplify procedure, discourage delays and lessen the expense of litigation, and shall have full power for that purpose; but no rule of court now existing is repealed hereby, except so far as it is inconsistent herewith.

SECT. 28. This act shall not affect pending cases.

SECT. 29. All acts and parts of acts inconsistent herewith are hereby repealed.

[Approved March 15, 1881.]

#### Chapter 69.

AN ACT to amend section three of chapter seventy-two of the Revised Statutes relating to Probate Bonds.

*Be it enacted, &c., as follows:*

That section three of chapter seventy-two of the revised statutes be and is hereby amended, by striking out the words "and by reason of the said" and insert instead thereof "in the exercise of a just discretion," so that said section when amended shall read as follows:

SECT. 3. On the application of any surety in such bond, the judge of probate, on due notice to all parties interested in the estate, and on his own discretion, discharge him from all liability for any subsequent, but not for any prior breaches thereof, and require a new bond of the principal, with sureties approved by him.

[Approved March 15, 1881.]

#### Chapter 70.

AN ACT relating to the Pauper settlement of inmates of the Bath Military and Naval Orphan Asylum.

*Be it enacted, &c., as follows:*

No child shall be held to have acquired a pauper settlement in the city of Bath, by reason of being an inmate of the Bath military and naval orphan asylum, situated in Bath.

[Approved March 15, 1881.]

#### Chapter 71.

AN ACT to amend chapter two hundred and six of the Public Laws of eighteen hundred and eighty, relating to suits by collectors of taxes and the jurisdiction of Trial Justices.

*Be it enacted, &c., as follows:*

Chapter two hundred and six of the public laws of eighteen hundred and eighty is hereby amended by adding thereto the following words, "and no justice or judge of any municipal or police court, before whom such suit is brought, shall be deemed incompetent to try the same for reason of his residence in the town assessing said tax," so that said chapter shall read as follows:

"Any collector of taxes, or any executor or administrator of a deceased collector of taxes, may, after due notice, sue in his own name, for any tax in any court competent to try the same; and no trial justice or judge of any municipal or police court, before whom such suit is brought, shall be deemed incompetent to try the same for reason of his residence in the town assessing said tax."

[Approved March 15, 1881.]

#### Chapter 72.

AN ACT concerning the care of abused and neglected Children.

*Be it enacted, &c., as follows:*

SECT. 1. When complaint in writing, signed by two or more citizens of any town or city alleging that any child within such town or city, is neglected or cruelly treated by its parents, or by the willful fault of such parents is not provided with suitable food, clothing or shelter, or is in need of education, or is kept at any house of ill-fame, or that such child is an orphan without means of support or kindred of sufficient ability, who are unable to give such support, shall be made to the municipal officers of such town or city, such municipal officers shall give notice of a time and place of hearing upon such petition, by serving such notice, with a copy of such petition upon such parents at least two days before such hearing, or by publishing a copy of such petition and notice of hearing in some newspaper in the county where such child resides, at least seven days before such hearing. Said municipal officers shall at the time and place mentioned in said notice, give a hearing to the parties and their witnesses, and if they find that the allegations in the petition are true, and that it is just and expedient to make further provision for the care, education and support of such child, they shall make a record thereof, signed by them or a majority of them, which shall be recorded by the clerk of said city or town in a book kept for that purpose.

SECT. 2. Upon the making of such record it shall be the duty of such municipal officers or of some person appointed by such notice to give such notice, to make a complaint under oath to any judge of any court or any trial justice, which shall contain in substance, the allegations set forth in said petition, and praying that such provision may be made for the care, custody, support and education of the child named in said complaint as justice shall require, and thereupon the magistrate or judge, when such complaint is made, shall issue his warrant and shall cause such child to be brought before him, and if upon notice and hearing, it shall appear that the allegations of the complaint are true, and that justice requires that such child shall be supported and educated away from its parents, he shall order such child to such place or institution as shall be provided therefor by such town or city, or to such charitable institution or private person, as he shall deem suitable for the purpose, provided such institution or person shall consent to receive, support and educate such child; but such order shall not extend beyond the time when such child shall arrive at the age of twenty-one years, if a male, or at the age of eighteen years, if a female.

SECT. 3. Whenever the magistrate shall deem it suitable and conducive to the public welfare, that such child shall be placed under the control of any private person, he shall first take a bond from such person, running to such town or city where the child is to be supported and educated, and which shall approve, conditioned that such person will humanely treat and properly support, clothe and educate the child, and in case of accident or loss of said bond, a suit may be commenced thereon, and the sum recovered upon such bond shall be paid into the treasury of the town or city, which the bond is given. Upon application to any magistrate, he shall examine into the condition and welfare of the child, and in case of neglect or abuse, under this act, and may at any time make such further order in relation to their care, custody, support and education as justice shall deem proper.

SECT. 4. Whenever the municipal officers of any town or city have reason to believe that any child will be removed beyond the limits of the state before a hearing can be had, as provided in this act at any time after the filing of the petition, they shall first take a bond from such person, running to the town or city where the child is to be supported and educated, and which shall approve, conditioned that such person will humanely treat and properly support, clothe and educate the child, and in case of accident or loss of said bond, a suit may be commenced thereon, and the sum recovered upon such bond shall be paid into the treasury of the town or city, which the bond is given. Upon application to any magistrate, he shall examine into the condition and welfare of the child, and in case of neglect or abuse, under this act, and may at any time make such further order in relation to their care, custody, support and education as justice shall deem proper.

SECT. 5. Whenever any child is in the custody of any public or charitable institution, the parents or either of them may make application in writing to the judge of probate of the town or city where the child is in the custody of such institution and the municipal officers of the town or city where the proceedings are pending in this act commenced, and if it shall appear upon such hearing, that the applicant is of sufficient ability and inclination to suitably provide for the support and education of such child, the judge requires that the custody of such child shall be restored to such applicant, the judge shall order the said child to be delivered to such applicant, and thereupon be given such applicant until the further order of the court.

SECT. 6. If any town or city incurring expenses under this act, by reason of the fault of parents who are of sufficient ability to properly support and educate their child, but who wrongfully neglect or refuse to do so, may recover to or from such parents an action of debt, the amount so expended for the support of said children.

SECT. 7. Any town or city may make proper provisions for the support of children mentioned in this act, and such support shall not make such children the parents, paupers.

SECT. 8. This act shall take effect when approved.

[Approved March 15, 1881.]

#### Chapter 73.

AN ACT to amend sections sixty-six, sixty-seven and sixty-eight of chapter six of the Revised Statutes, relating to the assessment and abatement of Taxes.

*Be it enacted, &c., as follows:*

SECT. 1. Section sixty-six of chapter six of the revised statutes is hereby amended so as to read as follows:

SECT. 66. If any person after such notice does not bring in such list, the assessors shall ascertain the value of the estate, real and personal, for which in their judgment such person is liable to be taxed, and he shall then be liable for his right to make application to the assessors or the county commissioners for any abatement of his taxes, unless he or she shall list with his or her name, a certificate that he was unable to offer such list at the time appointed.

SECT. 2. Section sixty-seven of said chapter six is hereby amended so as to read as follows:

SECT. 67. The assessors or either of them may require the person presenting such list to make oath to its truth, which either of them may administer, and either of them may require such person to answer all proper inquiries relating to the nature and situation and value of his property liable to be taxed in this state, and a refusal or neglect to answer such inquiries and subscribe and attests that he has the right of such person to an appeal to the county commissioners, but such lists and answers shall not be conclusive in any case.

SECT. 3. Section sixty-eight of said chapter six is hereby amended so as to read as follows:

SECT. 68. The assessor, on the day of the opening, on written application, stating the grounds therefor, within two years from the assessment, may make such inquiries and require such person to think proper, such abatement, with the reasons for each abatement, shall be made in writing, and shall be given at a public meeting, and to the mayor and aldermen of cities, on or before the first Monday in March of each year.

[Approved March 16, 1881.]

#### Chapter 74.

AN ACT authorizing the improvement of Marshes, Meadows and Swamps.

*Be it enacted, &c., as follows:*

SECT. 1. When any meadow, swamp, marsh, beach or other low land is held by several proprietors, and it is necessary or useful to drain or flow the same, or remove obstructions in rivers or streams leading therefrom, such improvements may be effected under the direction of commissioners in the manner herein provided.

SECT. 2. Such proprietors, or a majority of them in interest, may apply by petition to the supreme judicial court, or to the county court, to give them any part of them, setting forth the proposed improvements and the reasons therefor; and the court may cause such petition to be given to the proprietors in manner as it may judge proper, and the court may appoint three suitable persons as commissioners, who shall be sworn to the faithful discharge of their duties, and shall view the premises, notify parties concerned, hear them as to the manner of making the improvements, and prescribe the measures to be adopted for that purpose.

SECT. 3. The court, according to the tenor of the petition and the order of court, cause dams or dikes to be erected on the premises, at such places and in such manner as they shall deem most proper, and the land to be flowed thereby for such periods of each year as they shall deem most beneficial; and the court may cause such improvements to be removed, and they shall lead from time to time, and may be necessary, cause the works to be completed according to their directions.

SECT. 4. They may employ suitable persons to erect the dams or dikes, or perform the other work,

under their direction, for such reasonable wages as they may agree upon; unless the proprietors do, in the same in such time and manner as the commissioners shall direct.

SECT. 5. The court shall apportion the whole charge and expense of the improvements, and of executing the commission, among the proprietors of the lands, having regard to the quantity, quality, and situation of each proprietor's part thereof, and the benefit that he will derive from the improvements, and shall assess the same upon the proprietors, and the same shall be paid by them.

SECT. 6. They may appoint a collector of the moneys assessed, and shall give him a warrant to collect the same, and may also give him a warrant to collect the same upon the proprietors, and the same shall be paid by them.

SECT. 7. If the collector neglects for twenty days after being thereto required by the commissioners to account for, and pay over the money he has collected, he shall be liable to pay to the commissioners the whole amount committed to him in collection, to be recovered by them in an action therefor; and the money so recovered, after deducting the expense of recovery, shall be applied and accounted for by the commissioners as if it had been collected, and paid over by the collector, pursuant to his warrant.

SECT. 8. The collector shall be liable for such compensation for his services as may be agreed upon by the commissioners; and the compensation for his services may be ordered by the court.

SECT. 9. The commissioners shall, as soon as may be, after the completion of the work, make a return to the court of their doings and expenses, including an account of all moneys assessed and collected by their order, and of the disbursement thereof.

SECT. 10. When it appears to the commissioners, that part of the land is held by a tenant for life, or years, they shall determine how much of the sum apportioned on that part of the premises shall be paid by such tenant, and how much by the landlord or reversioner; and shall assess the same accordingly, unless the parties concerned agree to an apportionment; and every such tenant, landlord and reversioner shall be bound to pay the same.

SECT. 11. If any part of the land is mortgaged, the mortgagee or mortgagee, in possession, shall be considered as the owner of the premises, and by the mortgagee by order of the commissioners, shall be allowed to him as sums paid by him for improvements, and may lawfully be so allowed.

SECT. 12. When the commissioners find it necessary or expedient to reduce or raise the water, for the purpose of obtaining access to the premises, or for more convenient or expeditious removal of obstructions, they may open the flood-gates of a mill, or make other openings through or around the dam thereof, or erect a temporary dam on the land of any person not a party to the proceedings, and use the same, and may be allowed to use the water as long as may be necessary for the purposes aforesaid.

SECT. 13. All damages thus occasioned shall be estimated and determined by the commissioners, unless agreed upon between them and the parties concerned; and shall be paid by the commissioners out of the money to be assessed and collected by them as before provided.

SECT. 14. No person, whether a party to the proceedings or otherwise interested therein or affected thereby, is aggrieved by the doings of the commissioners, and shall not be allowed to appeal therefrom after their appointment, and before the end of the term next following that, at which the return is made.

SECT. 15. The court, upon such appeal, may affirm, reverse or alter any adjudication or order of the commissioners, and shall give such judgment by law and justice require. All questions of fact arising upon the hearing of the appeal, shall, on motion of either party, be tried by a jury in such manner as the court shall direct.

SECT. 16. The commissioners, before proceeding to open the flood-gates or to erect a dam, or to erect a dam on the land of any person not a party to the proceedings, shall give notice in writing to the parties concerned, to enable him to object in writing or object thereto; and if he appeals from their determination, he shall be bound to give notice of his appeal to the commissioners or any of them, and shall suspend all proceedings upon his land until the appeal is decided, and he shall be bound to give notice of his appeal to the court, and the court shall hear the appeal, and may affirm, reverse or alter the determination of the commissioners, and may give such judgment by law and justice require.

SECT. 17. Any person aggrieved by any opinion of the court, or by any judgment of the court in any matter of law, may allege exceptions thereto, which shall be reduced to writing; and when found to be true and not deemed frivolous, shall be signed by the presiding judge, and thereupon the questions of law arising thereon shall be determined, as in other actions.

SECT. 18. After dams, dikes and removal of obstructions shall have been completed in pursuance to the provisions of this act, repairs thereon may be made on petition, and similar proceedings required for the construction of the original improvements, but such repairs shall be made at the expense of such proprietors only as occupy their lands, lake crops therefrom, and are actually benefited by such improvements.

[Approved March 16, 1881.]

#### Chapter 75.

AN ACT relating to the criminal jurisdiction of the Superior Court for the County of Kennebec.

*Be it enacted, &c., as follows:*

SECT. 1. The jurisdiction in all criminal matters conferred on upon the superior court, within and out of the county of Kennebec, by chapter ten of the public laws of the year eighteen hundred and seventy-eight is hereby restored, and said court shall have and exercise jurisdiction in all criminal matters in said county of Kennebec.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SECT. 3. This act shall take effect when approved.

[Approved March 16, 1881.]

#### Chapter 76.

AN ACT concerning Public Parks and Squares.

*Be it enacted, &c., as follows:*

SECT. 1. Any town or city, containing more than one thousand inhabitants, may, by a resolution, signed by at least thirty of the citizens thereof, who are tax payers, directed to the municipal officers, determine the lands necessary to be set apart for the names of the owners thereof, so far as they are known, at a legal meeting of such town, or of the mayor, aldermen and city council of such city, may







shall not apply to the sale of unadulterated cider, when sold in quantities of less than five gallons, unless the same is sold to be used as a beverage or for bottling purposes.

[Approved March 17, 1881.]

**Chapter 90.**  
AN ACT relating to proceedings and appeals in Probate Courts.

*Be it enacted, &c., as follows:*

Any person claiming under an heir at law shall have the same rights in all proceedings in probate courts, including rights of appeal, that the heir may have.

[Approved March 17, 1881.]

**Chapter 91.**  
AN ACT relating to the Taxation of Railroads.

*Be it enacted, &c., as follows:*

SECT. 1. The buildings of every railroad corporation or association, whether within or without the located right of way, and its lands and fixtures outside of its located right of way, shall be subject to taxation by the several cities and towns in which such buildings, land and fixtures may be situated, as other property is taxed therein.

SECT. 2. Every corporation, person or association, operating any railroad in this state, shall pay to the state treasurer, for the use of the state, an annual excise tax, for the privilege of exercising its franchises in this state, which, with the tax provided for in section one, shall be in lieu of all taxes upon such railroad, its property and stock. There shall be apportioned and paid by the state from the taxes received under the provisions of this act, to the several cities and towns, in which on the first day of April in each year, is held railroad stock hereby exempted from other taxation, such amount equal to one per centum on the value of such stock in this state, as hereinafter provided, and the governor and council; provided, however that the total amount thus apportioned on account of any railroad shall not exceed the amount collected by the state as tax on account of such railroad.

SECT. 3. The amount of such tax shall be ascertained as follows: The amount of the gross transportation receipts as returned to the railroad commissioners for the year ending on the thirtieth day of September next, preceding the first day of April, shall be divided by the number of miles of railroad operated to ascertain the average gross receipts per mile: when such average receipts per mile shall not exceed twenty-two hundred and fifty dollars, the tax shall be equal to one-quarter of one per centum of the gross transportation receipts; when the average receipts per mile exceed twenty-two hundred and fifty dollars and do not exceed three thousand dollars, the tax shall be equal to one-half of one per centum of the gross receipts; and so on in increasing the rate of the tax one-quarter of one per centum for each additional seven hundred and fifty dollars of average gross receipts per mile or fractional part thereof; provided, the rate shall in no event exceed three and one-quarter per centum. When a railroad lies partly within and partly without the state, and is operated as a part of a line or system extending beyond this state, the tax shall be equal to the same proportion of the gross receipts in this state, as hereinafter provided, and its amount determined as follows: The gross transportation receipts of such railroad, line or system, the same may be, over its whole extent, within and without the state, shall be divided by the total number of miles operated to obtain the average gross receipts per mile, and the gross receipts in this state shall be divided by the average gross receipts per mile, multiplied by the number of miles operated within this state.

SECT. 4. The governor and council, on or before the first day of April in each year, shall determine the amount of such tax, and report the same to the state treasurer, who shall forthwith give notice thereof to the corporation, person or association, upon which the tax is levied.

SECT. 5. Said tax shall be due and payable, one-half thereof on the first day of July next after the levy is made, and the other half on the first day of October following. If any party fails to pay the tax, as herein required, the state treasurer may proceed to collect the same, with interest, at the rate of ten per cent per annum, by an action of debt, in the name of the state. Said tax shall be a lien on all the railroad operated, and take precedence of all other liens and incumbrances.

SECT. 6. Any corporation, person or association aggrieved by the action of the governor and council in determining the tax, through error or mistake in calculating the same, may apply for a statement of any such excessive tax within the year for which such tax is assessed, and if, upon re-hearing and re-examination, the tax appears to be excessive through such error or mistake, the governor and council may thereupon abate such excess, and the amount so abated shall be deducted from any tax due and unpaid, upon the railroad upon which the excessive tax was assessed; or, if there is no such unpaid tax, the governor shall draw his warrant for the abatement, to be paid from any money in the treasury not otherwise appropriated.

SECT. 7. If the returns now required by law, in relation to railroads, shall be found insufficient to furnish the basis upon which the tax is to be levied, it shall be the duty of the railroad commissioners to require such additional facts in the returns as may be found necessary; and, until such returns shall be required, or, in default of such returns when required, the governor and council shall act upon the best information they may be able to obtain. The railroad commissioners shall have access to the books of railroad companies, to ascertain if the required returns are correctly made; and any railroad corporation, association, or person operating any railroad in this state, which shall refuse or neglect to make the returns required by law, or to exhibit to the railroad commissioners their books for the purposes aforesaid, or shall make returns which the president, clerk, treasurer, or other person certifying to such returns know to be false, shall forfeit a sum not less than one thousand dollars, nor more than ten thousand dollars, to be recovered by indictment, or by an action of debt in any county into which the railroad operated may extend.

SECT. 8. All acts and parts of acts inconsistent with this act, are hereby repealed, except as to all taxes heretofore assessed, and this act takes effect when approved.

[Approved March 17, 1881.]

**Chapter 92.**  
AN ACT to amend chapter one hundred and seventy-nine of the Public Laws of eighteen hundred and eighty, regulating the fees of inspectors of line and time cases, and their deputies.

*Be it enacted, &c., as follows:*

Section one of chapter one hundred seventy-nine

of the public laws of eighteen hundred and eighty is hereby amended by striking out the words "one-half," in the second line, and inserting the words "one-eighth of one mill;" also amended by striking out the words "one-half," and inserting the words "one-eighth of one mill" instead thereof, so that said section as amended shall read as follows:

SECT. 1. The fees of inspectors of line and time cases, and their deputies, shall be one-eighth of one mill for each case inspected, and the deputy inspector shall receive from his deputy the one-eighth of one mill for each case inspected and branded by the deputy.

[Approved March 17, 1881.]

**Chapter 93.**  
AN ACT for the promotion of Medical Science.

*Be it enacted, &c., as follows:*

SECT. 1. Whoever willfully and knowingly shall have in his possession, for anatomical purposes, the body or any part thereof, of any person dying in this state, unless the same shall be obtained in the manner provided by section two of chapter thirteen of the revised statutes, or in the manner provided by this act, shall be punished by imprisonment of not less than five years, or by a fine not exceeding three thousand dollars.

SECT. 2. If any person, a resident of this state, requesting dissection during his life, or after his death, may be delivered to a regular physician or surgeon, for the advancement of anatomical science, after his death, it may be claimed, in any case, that some kindred or family connection makes objection.

SECT. 3. The body of any person dying in this state, which shall not be claimed for any purpose, being given for burial by the family or next of kin of such person, shall be subject to the use of the medical school at Maine for anatomical purposes, as hereinafter provided, and if, at any time said school shall receive a greater number of bodies than it needs for the instruction of its students, it shall be authorized to deliver the excess to any regular physician or surgeon, for the same purpose, in this state.

SECT. 4. Persons having charge of such bodies shall forthwith notify the municipal officers of the town in which such bodies are, and upon the receipt of such notice, the municipal officers of such town shall immediately notify, by mail or otherwise, the officers of the medical school of Maine, and such officers shall state the age and sex of the deceased, and the cause of death, if known, and, on receipt of the officers of said school, if made within two days after receiving such notice, said municipal officers shall deliver such bodies to such officers, or to any regular physician or surgeon by them designated to receive the same; but before receiving any such body, said medical school shall give notice, in writing, to the treasurer of such town, as provided in section two of chapter thirteen of the revised statutes, by which the use of the body, under the provisions of this section shall forfeit the sum of thirty dollars, to be recovered by an action of debt, one-half to the use of the medical school, and one-half to the use of said medical school of Maine.

SECT. 5. All acts and parts of acts inconsistent herewith are hereby repealed.

[Approved March 17, 1881.]

**Chapter 94.**  
AN ACT additional to an act entitled, "An act for the promotion of Medical Science."

*Be it enacted, &c., as follows:*

SECT. 1. Whenever the body of any person dying in this state, shall come into the possession of the provisions of an act entitled, "An act for the promotion of Medical Science," it shall be the duty of the secretary of the faculty of said school, to cause such body to be embalmed, and to be preserved without dissection for thirty days. And in case the name of said subject is unknown, the same shall be identified by the municipal officers, and shall be recorded by the secretary, in a book kept for that purpose, and which shall be open to public inspection.

SECT. 2. Any of the family or next of kin of such subject, may claim said subject for burial within said thirty days, and the same shall be delivered to them for said purpose on demand.

SECT. 3. Any violation of the provisions of this section, shall be punished by a fine not exceeding one thousand dollars.

[Approved March 17, 1881.]

**Chapter 95.**  
AN ACT to amend so much of section two, chapter one hundred and twenty-five of the Public Laws of eighteen hundred and seventy-nine, as relates to clerk hire in the Secretary of State's Department.

*Be it enacted, &c., as follows:*

The last sentence of clause two, section two, chapter one hundred and twenty-five, public laws of eighteen hundred and seventy-nine, relating to compensation for clerk hire in the department of the secretary of state, is hereby amended by striking out the word "ten" where it occurs in said sentence, and inserting instead thereof, the word "eighteen," so that it shall read as follows:

The clerk hire in the department of state, a sum of money not to exceed the sum of eighteen thousand dollars per annum.

[Approved March 18, 1881.]

**Chapter 96.**  
AN ACT to amend chapter one hundred and forty of the Public Laws of eighteen hundred and seventy-nine, relating to Normal Schools.

*Be it enacted, &c., as follows:*

Section one of chapter forty of the public laws of eighteen hundred and seventy-nine, is hereby amended, by striking out the words "eighteen thousand," wherever occurring in said chapter, and substituting therefor the words "twenty-two thousand," so that said chapter as amended shall read as follows:

Section one of chapter sixty-nine is hereby amended, by striking out the words "twenty-two thousand five hundred," in the fifth line, and inserting the words "nineteen thousand," so that said section shall read as follows:

SECT. 1. That for the support of the three normal schools established by the state, namely: the western normal school at Farmington, the normal school at Gorham, the sum of nineteen thousand dollars is

herely annually appropriated, the same to be expended under the direction of the normal school trustees, as required by act of legislature, chapter one hundred and twenty-five of the Public Laws of one thousand eight hundred and seventy-three.

SECT. 2. The treasurer of state is hereby authorized and directed to cause to be paid out of the moneys raised for the support of common schools in the state, the sum of nineteen thousand dollars, for the purposes indicated in this act.

[Approved March 18, 1881.]

**Chapter 97.**  
AN ACT to amend section thirteen of chapter twenty-two of the Revised Statutes, relating to Partition Fences.

*Be it enacted, &c., as follows:*

SECT. 1. Section thirteen of chapter twenty-two of the revised statutes is hereby amended by adding thereto the following: "But all partition fences divided by parol agreement, and actually built in pursuance of such agreement, including fences so built heretofore, shall be deemed legal fences as if divided by fence viewers or written agreement; and the adjoining owners shall support their respective portions of such fences, and no fence shall be removed or otherwise ordered by the fence viewers on application to them by either party. And when a party shall have constructed his part of a fence in pursuance of a parol or written agreement or assignment of fence viewers, no assignment shall thereafter be made by such fence viewers, depriving such party of the full value of such fence or any part thereof," so that said section as amended shall read as follows:

SECT. 13. When a fence between owners of improved lands is divided either by fence viewers, or by the written agreement of the parties recorded in the town clerk's office, where the land lies, the owners shall erect and support it accordingly; but if any person lays his lands common, and determines not to improve any part of them, the adjoining fence, and gives six months' notice to all occupants of adjoining lands, he shall not be required to maintain said partition fence, so long as it remains unimproved. But all partition fences divided by parol agreement and actually built in pursuance of such agreement, including fences so built heretofore, shall be deemed legal fences as if divided by fence viewers or written agreement, and the adjoining owners shall support their respective portions of such fences, and no fence shall be removed or otherwise ordered by the fence viewers, on application to them by either party. And when a party shall have constructed his part of a fence in pursuance of a parol or written agreement or assignment of fence viewers, no assignment shall thereafter be made by fence viewers, depriving such party of the full value of such fence or any part thereof.

[Approved March 18, 1881.]

**Chapter 98.**  
AN ACT to repeal section fifty-three, chapter one hundred and twenty-four of the Public Laws of eighteen hundred and seventy-four, relating to the inspection and sale of Agricultural Productions.

*Be it enacted, &c., as follows:*

Section fifty-three of chapter two hundred and twenty-four of the public laws of eighteen hundred and seventy-four, is hereby repealed.

[Approved March 18, 1881.]

## RESOLVES.

RESOLVE in relation to the recording of certain papers and records now in the Land Office.

Resolved, That the land agent be authorized and instructed to cause to be recorded in volumes suitable for the purpose, all papers and records now in this state, now on file in the land office, which have been received from the Commonwealth of Massachusetts, and which are of the nature of field notes, certificates and other evidences of title and limits relating to said lands; provided, that the total expense for the same shall not exceed the sum of three hundred dollars.

[Approved March 18, 1881.]

RESOLVE for the propagation and protection of Fish and Game, for the years of eighteen hundred and eighty-one and eighteen hundred and eighty-two.

Resolved, That the sum of five thousand dollars be, and hereby is appropriated for each of the years of eighteen hundred and eighty-one and eighteen hundred and eighty-two, to be expended under the direction of the commissioners of fisheries and game, for the propagation and protection of fish and game.

[Approved March 18, 1881.]

RESOLVE amendatory to the "Resolve in relation to the Penobscot tribe of Indians," approved February twenty-one, eighteen hundred and sixty-six, is hereby amended so as to read as follows:

Resolved, That the Penobscot tribe of Indians, hereafter be allowed to elect by ballot, their governor, lieutenant-governor, and representatives to the legislature, on the second Tuesday of September, biennially, and the same may be called to the polls, and be allowed to select from their respective parties, candidates for said offices, alternately, commencing with the year next after the year of the Penobscot tribe of Indians, approved February twenty-one, eighteen hundred and sixty-six, is hereby amended so as to read as follows:

Resolved, That the Penobscot tribe of Indians, hereafter be allowed to elect by ballot, their governor, lieutenant-governor, and representatives to the legislature, on the second Tuesday of September, biennially, and the same may be called to the polls, and be allowed to select from their respective parties, candidates for said offices, alternately, commencing with the year next after the year of the Penobscot tribe of Indians, approved February twenty-one, eighteen hundred and sixty-six, is hereby amended so as to read as follows:

Resolved, That the governor and council be, and are hereby empowered to adjust all unsettled accounts between the state and the Penobscot tribe, and for such purpose shall have full power to send for persons and papers, and adopt such measures as the right of the state may require, and may cause such proceedings to be instituted as shall fully protect the interests of the state.

[Approved March 18, 1881.]